

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:22-CV-61553-DIMITROULEAS/HUNT

CRUZ VALDIVIESO FIGUERA,

Plaintiff,

vs.

ALL VIP CARE INC. AND LIZ
VELAZQUEZ MCKINNON,

Defendants.

**PLAINTIFF'S AMENDED *NUNC PRO TUNC* MOTION FOR EXTENSION OF TIME
TO FILE MOTION FOR PARTIAL SUMMARY JUDGMENT AND STATEMENT OF
MATERIAL FACTS**

Plaintiff, Cruz Valdivieso Figuera, through her undersigned counsel, requests this Court to grant her an extension of time *nunc pro tunc* to file Plaintiff's Motion for Partial Summary Judgment and Statement of Material Facts based on the following:

1. This Court's scheduling order set a deadline of July 18, 2023 for substantive pretrial motions. [ECF No. 20].
2. Plaintiff filed her Motion for Partial Summary Judgment [ECF No. 61], and corresponding Statement of Material Facts [ECF No. 62] on July 18, 2023.
3. On July 19, 2023, this Court struck the Plaintiff's summary judgment filings because the Statement of Material Facts did not comply with the criteria set forth in the Southern District of Florida's Local Rules. [ECF No. 63].
4. Plaintiff corrected the issues cited in the Order at ECF No. 63, and refiled the Motion for Partial Summary Judgment and Statement of Material Facts on July 20, 2023.
5. Based on the above, Plaintiff requests an extension of time of two days, *nunc pro tunc*, to

file her Motion for Partial Summary Judgment [ECF No. 64] and Statement of Material Facts [ECF No. 65].

CERTIFICATE OF CONFERRAL

Pursuant to S.D. Fla. L.R. 7.1, I hereby certify that Defendant's counsel, Randy Goldberg, objects to the relief requested in this Motion.

Respectfully submitted on July 20, 2023.

/s/Toussaint Cummings, Esq.
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